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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
(SACRAMENTO DIVISION)

In re: JAMES MITCHELL, JR., and  
IRMA J. MITCHELL,  
Debtors.

Bankruptcy Petition No.: 02-11974-A-7

JAMES MITCHELL, JR., and IRMA  
J. MITCHELL,  
Plaintiffs,

Adversary No.: 06-1081-D

v.

UNITED STATES OF AMERICA,  
United States Department of  
Education, and United States  
Department of the Treasury,  
Defendants.

Date: April 11, 2006  
Time: 10:00 a.m.  
Place: Department A  
Judge: Brett Dorian

ANSWER AND STIPULATION TO DISCHARGE

The United States of America, on behalf of its Department of Education, in answer to the above-captioned adversary, waives any defects in service and admits that the two student loans obtained by James Mitchell now totaling approximately \$6,000 in

1 principal and accrued interest and costs, which loans were either directly funded or  
2 guaranteed by the United States Department of Education, may be discharged pursuant  
3 to 11 U.S.C. § 523(a)(8) because it would cause the Debtor and his dependents an undue  
4 hardship to repay the same.

5 Accordingly, the United States stipulates that the Court may enter an order  
6 discharging the student loans at issue herein.

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8 Dated: March 9, 2006

Respectfully submitted,

9 McGREGOR W. SCOTT  
10 United States Attorney

11 By: \s\ Ana Maria Martel  
12 ANA MARIA MARTEL  
13 Assistant United States Attorney  
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